

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Re the Application of

Katsusuke SHIMAZAKI et al.

Application No.: 09/830,928

JUL 19 Rec'd PCT/PTO 18 JUL 2001

#6

Filed: May 24, 2001

Docket No.: 109431

For: OPTICAL DISK, DISK SUBSTRATE, AND DRIVING APPARATUS

RESPONSE TO NOTIFICATION OF A DEFECTIVE RESPONSEDirector of the U.S. Patent and Trademark Office  
Washington, D.C. 20231

Sir:

The Notification of a Defective Response, mailed July 12, 2001, in this application indicates that the applicant's response filed June 5, 2001 is defective because it did not include an English-translation of the specification as required in the Notification of Missing Requirement, mailed May 22, 2001.

It is respectfully submitted that the Notification of a Defective Response, mailed July 12, 2001, and the Notification of Missing Requirements, mailed May 22, 2001, are in error because an English translation of this application was filed with the application on May 3, 2001.

In particular, on May 3, 2001, the application was filed with a translation of the International Application into English. A copy of the PCT Transmittal and a copy of the Application are attached. In addition, enclosed is a copy of the U.S. Patent and Trademark Office Receipt indicating that the specification was filed on May 3, 2001.

When responding to the Notification of Missing Requirements, mailed May 22, 2001, it was pointed out that the Declaration had been submitted. Unfortunately, at that time, it was not pointed out that the Notification of Missing Requirements was in error because the translation had already been submitted when the application was filed.

In view of the foregoing, it is respectfully submitted that all the filing formalities for this application have been completed. An English translation was provided on May 3, 2001, so a surcharge is not required. However, if the U.S. Patent and Trademark Office deems otherwise, the U.S. PTO is authorized to debit deposit account No. 15-0461 in the amount necessary to effect filing of this paper.

Respectfully submitted,

James A. Oliff  
Registration No. 27,075Thomas J. Pardini  
Registration No. 30,411



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
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|-------------------------------|-----------------------|------------------|
| U.S. APPLICATION NO.          | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 09/830928                     | SHIMAZAKI             | K 109431         |
| INTERNATIONAL APPLICATION NO. |                       |                  |
| PCT/JP99/06202                |                       |                  |
| I.A. FILING DATE              | PRIORITY DATE         |                  |
| 08 NOV 99                     | 06 NOV 98             |                  |

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RECEIVED  
JUL 13 2001  
OLIFF & BERRIDGE

DATE MAILED:

12 JUL 2001

## NOTIFICATION OF A DEFECTIVE RESPONSE

July 22, 2001  
Missing Parts

1. ☐ The request for an extension of time (37 CFR 1.136(a)) filed \_\_\_\_\_ is defective because the required fee is missing/insufficient. Extension of time fees are listed at 37 CFR 1.17(a)(1)-(a)(5).
2. ☐ Applicant's response filed \_\_\_\_\_ was received in the Office after the expiration of the period for response set in the Office notification mailed \_\_\_\_\_. This application will become abandoned unless applicant obtains an extension of time to reply to the last Office notification under 37 CFR 1.136(a).
3. ☒ Applicant's response filed JUNE 05, 2001 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS (Form PCT/DO/EO/905) mailed MAY 22, 2001 have not been completed.
  - ☒ Translation of the international application into English.
    - ☐ which is defective for the reasons indicated on the attached Notice of Defective Translation.
  - ☒ Processing fee (37 CFR 1.492(f)).
  - ☐ Oath or Declaration of inventors(s).
    - ☐ not in compliance with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
  - ☐ Surcharge (37 CFR 1.492(e)).
  - ☐ Sequence Listing.
    - ☐ not in compliance with 37 CFR 1.821-1.825 for the reasons indicated on the attached PCT/DO/EO/920.
  - ☐ Additional claim fees.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements (Form DO/EO/905), whichever is the longer. No extension of this time limit may be granted under 37 C.F.R. § 1.136, but the period for response set in the Notification of Missing Requirements (Form DO/EO/905) may be extended under 37 C.F.R. § 1.136(a).

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation  
☐ PCT/DO/EO/920

Barbara A. Campbell

Telephone: 703-305-3631

FORM PCT/DO/EO/916 (March 2001)

DOCKETED  
By JB on 7/13 2001  
mm and 1.2